

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Lee Butler

Location: Northwest corner of South 7<sup>th</sup> Street and East William Street

Gross Acreage: 0.72

Net Acreage: 0.72

Net Density: 43.1 DU/AC

Existing Zoning: R-M Multiple Residence &  
CG Commercial General

Existing Uses: Multi-family residential, single-family residential, mixed use, and  
commercial

Proposed Zoning: A(PD) Planned  
Development

Proposed Use: Mixed Use (multi-family attached over ground floor commercial) and  
one three-unit apartment

### GENERAL PLAN

Completed by: FLB

Existing Land Use/Transportation Diagram Designations  
High Density Residential (25-50 DU/AC)

Project Conformance:  
☒ Yes   ☐ No  
☐ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: FLB

North: Residential

RM Multiple Residence

East: Residential

RM Multiple Residence

South: Residential

RM Multiple Residence & CG Commercial General

West: Commercial and Residential

CG Commercial General

### ENVIRONMENTAL STATUS

Completed by: FLB

☐ Environmental Impact Report found complete  
☒ Mitigated Negative Declaration circulated on May 12, 2004  
☐ Negative Declaration adopted on

☐ Exempt  
☒ Environmental Review Incomplete (see analysis)

### FILE HISTORY

Completed by: FLB

Annexation Title: Original City

Date: 3/27/1850

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☐ Recommend Approval  
☐ Recommend Approval with Conditions  
☐ Recommend Denial

Date \_\_\_\_\_

Approved by: \_\_\_\_\_

#### CURRENT OWNERS

Tan Lu / Wayne Robertson  
265 E. William St. / 4121 Nova Dr.  
San Jose, CA 95112 / Santa Cruz, CA 95062

#### CONTACT / ARCHITECT

Brad Cox with Anderson Brule Architects  
325 S. 1<sup>st</sup> St., 4<sup>th</sup> Floor  
San Jose, CA 95113

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PUBLIC AGENCY COMMENTS RECEIVED

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Completed by: FLB

Public Works, Fire Prevention, Environmental Services Department, and Police Department (not included); Historic Preservation Staff (included)

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Other Departments and AgenciesNone

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GENERAL CORRESPONDENCE

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Letter from the University Neighborhood Coalition and e-mail from David Dudek

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ANALYSIS AND RECOMMENDATIONS

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**BACKGROUND**

On November 25, 2003, the applicants submitted an application to rezone the subject properties from the CG Commercial General and RM Multiple Residence Zoning Districts to the A(PD) Planned Development Zoning District to allow up to 25 multi-family residences, 4,955 square feet for commercial uses, and a 24,185 square feet underground parking area on the 0.72 gross acre site. Subsequently, on August 16, 2004, the applicants submitted a revised proposal to rezone the subject property to allow up to 31 residential units, up to 5,000 square feet of commercial space, and to allow 23,800 square feet of below-grade parking garage area. The rezoning proposes to demolish six existing structures and a portion of a seventh.

The 0.72 gross acre subject site consists of five parcels and is located at the northwest corner of N. 7<sup>th</sup> St. and E. William St. One property (APN 467-48-039) spans to S. 6<sup>th</sup> St., however the commercial property at the northeast corner of S. 6<sup>th</sup> St. and E. William St. is not part of the proposal. The site is relatively flat and is surrounded by residential uses, with the exception of the aforementioned commercial property.

**HISTORIC RESOURCES DESCRIPTION**

The East Downtown Frame Survey completed in late 2002 included the four homes discussed below. In addition to their eligibility for the Historic Resources Inventory, and subsequent inclusion, the Survey report recommended a historic district potentially eligible for the National and California registers as well as locally. A copy of the survey map and district boundaries is attached. Only the home at 480 S. 6<sup>th</sup> Street lies within the potential district boundaries.

A historic report, titled "Historical and Architectural Evaluation; 480 South 6<sup>th</sup> Street; 479, 491, and 499 South 7<sup>th</sup> Street," has been completed by Dill Design Group and is attached. Included in the report are State of California Department of Parks & Recreation evaluation forms and associated City of San Jose tally sheets. Four of the five subject properties are currently listed on the Historic Resources Inventory. A summary of their designations and dispositions follows:

- ? 480 S. 6<sup>th</sup> St. – Eligible for National Register District, Eligible for California Register District, as a Contributing Structure, and eligible as a Structure of Merit – The applicant is proposing to demolish a rear portion of the multi-family residential structure (photographs of the home and the rear addition are in

the attached Historic Report). This area would be converted to open space and vehicular circulation, and the remaining front portion would be converted to three residential units. The Dill evaluation found that the rear portion of the house, proposed for demolition, is the remaining original portion of the c.1870s home altered and added to in 1920 to create an apartment building. It is the 1920 Prairie Style apartment building that was determined to be a contributor to a potential historic district by Architectural Resources Group who conducted the 2002 Survey.

- ? 479 S. 7<sup>th</sup> St. – Structure of Merit - The applicant is proposing to demolish the existing single-family residential structure.
- ? 491 S. 7<sup>th</sup> St. – Structure of Merit - The applicant is proposing to demolish the existing multi-family residential structure.
- ? 499 S. 7<sup>th</sup> St. / 275 E. William St. – Structure of Merit - The applicant is proposing to demolish the existing single-family residential structure and the detached garage and commercial outbuildings on the property.

The fifth property at 265 E. William St. was constructed in 1985 and is not considered a historic resource. The applicant is proposing to demolish this structure as well.

### **ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration was circulated on May 12, 2004 for the initial proposal, however, environmental review for the subject project is incomplete at this time because the project description has changed. An addendum to the Mitigated Negative Declaration will likely be required to address the changes. The project impacts in relation to historic resources would not trigger a significant impact under CEQA. For CEQA purposes, the City has considered resources eligible for or designated as City Landmarks as well as those resources eligible for or listed in the California Register of Historic Resources and National Register of Historic Places as the threshold of significance. The residence at 480 S. 6<sup>th</sup> St. has been determined to be a contributor to a potential historic district eligible as noted above. The Dill Design Group stated their opinion in the Historic Report that removal of the rear portion of the building at 480 S. 6<sup>th</sup> Street would not meet the Secretary of the Interior's Standards and would be an adverse affect under CEQA. The Historic Preservation Officer concluded that while it is preferable to retain the rear portion, its removal would not significantly impact the contributing status of the building to the historic district, nor the integrity of the potential district itself and would, therefore, not be a significant adverse impact under CEQA.

It is anticipated that at the development permit stage, the following conditions would be included in the permit: photo documentation with 35mm black and white photography of the rear portion of the home at 480 S. 6<sup>th</sup> Street; offering of the homes on S. 7th Street for relocation and provision of salvage opportunities for the homes on S. 7th Street.

### **GENERAL PLAN CONFORMANCE**

The current General Plan Land Use/Transportation Diagram designation for the property is High Density Residential (25-50 dwelling units per acre), and the proposed residential density is 43.1 dwelling units per acre. The General Plan text states that High Density Residential “sites within reasonable walking distance of a passenger rail station (2,000 feet) may be appropriate for vertical commercial/residential mixed-use under a Planned Development Zoning.” The subject site is located approximately 2,200 feet (six blocks) from the nearest light-rail station, and five bus lines run within four blocks of the subject site. Given the site's proximity to public

transportation, to downtown, and to San Jose State University, a significant amount of pedestrian and bicycle traffic exists. The proposed mixed-use development is consistent with the intent of the General Plan designation because the residential density conforms and because the commercial component will serve the surrounding neighborhood and the abundant individuals in the vicinity utilizing pedestrian, bicycle, and public transit transportation.

## **PROJECT DESCRIPTION**

The proposed project would include approximately 5,000 square feet of commercial space on the north side of E. William St. and on the northwest corner of E. William St. and S. 7<sup>th</sup> St. The northwest corner of E. William St. and S. 7<sup>th</sup> St. is proposed to be four-stories, however, the majority of the remaining structure would be three stories. Parking would be provided at grade and in a sub-grade garage.

While this application is for the rezoning of the property and development permits will follow, it is intended that the new architecture will compliment the Victorian residences that are prevalent in the neighborhood. The non-residential ground floor would be distinguished from the upper-level residences through the use of a brick base and cement plaster exterior. Above, the applicant proposes wide horizontal siding on the second floor and narrow horizontal siding on the third and fourth floor portions. Fish scale siding would compliment the tower element at the northwest corner of E. William St. and S. 7<sup>th</sup> St., and composition shingle roofing is proposed. The attached plans show the proposed elevations.

## **ANALYSIS**

The primary project issues for the Historic Landmarks Commission are historic preservation and compatibility with the existing neighborhood.

**Historic Preservation.** While the new proposal does not trigger significant impacts under CEQA, it does propose the demolition of structures that are listed on the Historic Resources Inventory. Three structures (and two associated outbuildings) listed as Structures of Merit are proposed to be demolished. Furthermore, a rear portion of the structure at 480 S. 6<sup>th</sup> St. is also proposed for demolition. Given the proposed scope of work, it is not feasible to preserve all of the structures and achieve the same number of units, commercial space, parking, and open space.

**Compatibility with the Existing Neighborhood.** Proposed elevations are shown in the attached plans. Colors have not been submitted, but Staff feels that proposed materials are generally compatible with the surrounding neighborhood. The scale of the proposed development is from three stories toward the corner of William and S. 6<sup>th</sup> Street to four stories at the corner of William and S. 7<sup>th</sup> Street. The three-story elevation is more in keeping with existing development while the four-story tower is taller than structures in the immediate vicinity.

## **COMMUNITY OUTREACH**

The applicant has presented the proposal to the South University Neighborhoods, and the proposal was also discussed at a regular meeting of the University Neighborhoods Coalition. An e-mail from David Dudek and a letter from the University Neighborhoods Coalition are attached. Planning staff contacted representatives of the South University Neighborhoods and the University Neighborhoods Coalition to inform them of the inclusion of this proposal on the Historic Landmarks Commission agenda. Staff has been available to discuss the proposal with members of the public. Additionally, prior to the public hearing, an electronic version of the staff report has been made available online, accessible from the Historic Landmarks Commission agenda, on the Planning Divisions' website.

## **RECOMMENDATION**

Planning staff recommends that the Historic Landmarks Commission make recommendations to the Planning Division and Planning Commission regarding the historic preservation issues of the proposed project, including demolition of the homes listed in the Inventory, demolition of the rear portion of the home at 480 S 6<sup>th</sup> Street and the compatibility of the proposed project with the existing neighborhood.

Attachments:    Maps  
                      Aerial Photo  
                      Historic Report, Tally Sheets, and Addendum  
                      Plan set